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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/404,373	09/24/1999	YUKIKO TAKEDA	NIT-153	8297
24956	7590	07/27/2004	EXAMINER	
MATTINGLY, STANGER & MALUR, P.C. 1800 DIAGONAL ROAD SUITE 370 ALEXANDRIA, VA 22314			HARPER, KEVIN C	
			ART UNIT	PAPER NUMBER
			2666	
DATE MAILED: 07/27/2004				

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/404,373	TAKEDA, YUKIKO <i>[Signature]</i>	
	Examiner	Art Unit	
	Kevin C. Harper	2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 07 May 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 4-6 is/are allowed.
- 6) Claim(s) 1-3 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 07 May 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

Response to Arguments

Applicant's arguments with respect to claims 1-3 have been considered but are moot in view of the new ground(s) of rejection. Applicant's arguments with respect to claims 4-6 have been fully considered and are persuasive. The rejection of these claims has been withdrawn.

Drawings

Replacement drawings were received on May 7, 2004. These drawings are approved.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bajzath et al. (US 6,144,644) in view of White et al. (US 6,014,379).

1. Regarding claims 1-2, Bajzath discloses an intelligent SCP (Figure 2, item 154) for providing an Internet call waiting service (col. 4, lines 45-61) to a terminal communicating with an inherent server connected to the Internet (col. 3, lines 35-41). The SCP is connected to switches of a transport layer network (item 210; col. 3, lines 50-54) over a signaling network (col. 3, lines 59-64) and connected with the Internet (item 120) through a gateway (item 215; fig. 6A, steps 630-660). The transport layer network is connected to the gateway (item 215) via the IP network (item 120) and the switches are connected to several terminals (col. 3, lines 52-54). The SCP comprises a first means for receiving a call waiting service request for a terminal from a switching system (fig. 3A, step 320-340; col. 4, lines 42-47), for receiving an incoming call

notification to the terminal from a switching system (fig. 5a, step 520-540; col. 5, lines 46-49), and for updating a user information management table (col. 4, lines 52-55). The SCP also comprises a user information management table (fig. 3A, step 320-340; col. 4, lines 52-55) to manage the call waiting request (step 610), where the user information management table includes terminal identification information and user status information (col. 6, lines 18-27). The SCP further comprises a second means for sending an incoming call notification message to the terminal via the gateway (col. 6, lines 30-36) with reference to the user information management table when an incoming call notification is received by the first means (col. 6, lines 36-41). However, Bajzath does not disclose storing an address of the gateway in a user information management table. White discloses an intelligent SCP transmitting signaling information to an Internet gateway through an inherent SS7 network (fig. 1; col. 6, lines 19-23; note: SCP, STPs and SSPs). The standardized SS7 network provides for signaling information to include a destination address which is inherently stored at the source (note: standardized SS7 destination point codes). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to store an address of a gateway at the SCP in the invention of Bajzath in order to provide a flexible interconnection for routing signaling between signaling components of a network.

2. Regarding claim 3, when a user whishes to accept a call, the SCP inherently instructs the switching systems to carry out a connection service for the incoming call (col. 6, lines 41-47).

Allowable Subject Matter

3. Claims 4-6 are allowed.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Zhang et al. (US 6,661,785) disclose an Internet call waiting service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 703-305-0139. The examiner can normally be reached weekdays from 11:30 AM to 8:00 PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao, can be reached at 703-308-5463. The centralized fax number for the Patent Office is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only (applications must be associated with a customer number). For more information about the PAIR system, see pair.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin C. Harper



July 18, 2004



DANIEL TON
PRIMARY EXAMINER